



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials  
Safety Administration**

400 Seventh St. S.W.  
Washington, D.C. 20590

**MAY 12 2005**

DOT-E 14158  
(FIRST REVISION)

EXPIRATION DATE: April 30, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: UTC Fuel Cells, LLC  
South Windsor, Connecticut
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the transportation of a fuel cell power plant assembly containing packaged Division 4.2, PG II, and Class 8, PG II materials without meeting the segregation requirement. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.83(b) and (c)(2)(ii) in that a package of Division 4.2 solid material may be transported in the same assembly unit with a package of solids containing Class 8 liquid, except as specified herein.
5. BASIS: This exemption is based on the application of UTC Fuel Cells, LLC dated February 14, 2005, and supplemental correspondence dated May 10, 2005, submitted in accordance with § 107.105 and public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**MAY 12 2005**

<b>Proper Shipping Name/ Hazardous Material Description</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Self-heating solid, inorganic, n.o.s. (contains copper on zinc oxide alumina substrate)	4.2	UN3190	II
Solids containing corrosive liquid, n.o.s. (contains phosphoric acid)	8	UN3244	II

7. SAFETY CONTROL MEASURES:

- a. POWER PLANT ASSEMBLY - A fuel cell power plant assembly may contain Division 4.2 solid, PG II and Class 8 liquid, PG II materials specified in paragraph 6, but may not contain any other hazardous materials. It may contain compatible nonhazardous materials.
- b. PACKAGING -
  - (1) The Division 4.2 solid must be packaged in a non-DOT Specification portable tank suitable for the transport of liquids in accordance with § 173.241(c) of the HMR.
  - (2) The solid containing the Class 8 liquid must be packaged in a sift-proof non-DOT Specification closed bulk bin in accordance with § 173.240(c) of the HMR.

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modification or change is made to the package or its contents and it is offered for transportation in conformance with this exemption and the HMR.

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b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
  - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

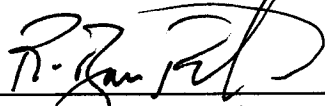
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports.

In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:



*fr* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: STH/alb